

## **EXHIBIT 5**

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July 21, 2005

James M. Lennon, Esq.  
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 Nemours Building  
 1007 Orange Street  
 Wilmington, DE 19801

**Re: Versus Technology, Inc. v. Radianse, Inc.**

Dear Jim:

I enclose the Acknowledgment signed by Nathaniel M. Sims, whom we have retained as an expert witness, and his curriculum vitae.

Sincerely yours,



Sibley P. Reppert

SPR/lml  
 Enclosure

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

VERSUS TECHNOLOGY, INC., )  
Plaintiff, )  
vi. ) Civil Action No. 04-1231--SLR  
RADIANCE, INC. )  
Defendant. )

**ACKNOWLEDGEMENT**

I, NATHANIEL M. SIMS, hereby acknowledge receipt of a copy of the Stipulated Protective Order ("Order") in the above captioned action. I am familiar with the provisions of the Order and agree to be bound by it. I agree not to copy or to use any Confidential Information for any purpose other than in connection with the instant action, and agree not to reveal any or all such Confidential Information to any person not authorized by this Order.

I further acknowledge and understand that for any violation of the provisions of said Order I am subject to the penalties of the Court and any and all penalties imposed upon me by law. I hereby submit to the jurisdiction of the Federal District Court for the District of Delaware for the purpose of enforcement of the Order and voluntarily waive any and all objections to jurisdiction and venue with regard to the same.

Nathaniel M. Sims

Name

7-18-05

Dated

## CURRICULUM VITAE

**DATE PREPARED:** July 21, 2005

### **PART I: General Information**

**Name:** Nathaniel Merriman Sims

**Home Address:** 378 Canton Avenue  
Milton, MA 02186 United States

**Office Address:** Department of Anesthesia  
55 Fruit Street, Massachusetts General Hospital  
c/o Biomedical Engineering CLN 237  
Boston, MA 02114 United States

**Phone:** (617) 726-2450

**Email:** nsims@partners.org

**Place of Birth:** Burlington, Vermont

### **Education:**

1975 B.A., Harvard College

1979 M.D., Columbia U. Col. Of Physicians And Surgeons

### **Postdoctoral Training:**

1979-1980 Intern in Surgery, Massachusetts General Hospital

1980-1981 Resident in Surgery, Massachusetts General Hospital

1981 Resident in Orthopaedics, Harvard Combined Orthopaedic Residency Program

1982-1985 Resident in Anaesthesia, Massachusetts General Hospital

1984-1985 Fellow in Cardiac Anesthesia, Massachusetts General Hospital

### **Licensure and Certification:**

1981 Diplomate, National Board of Medical Examiners

1981 Massachusetts Registered Physician

1987 Diplomate, American Board of Anesthesiology

### **Academic Appointments:**

1979-1981 Clinical Fellow in Surgery, Surgery-Massachusetts General Hospital, Boston, MA

1981 Clinical Fellow in Orthopedic Surgery, Orthopedic Surgery-BWH,